

UNITED STATES DISTRICT COURT
 for the
 Southern District of Texas

*United States District Court
 Southern District of Texas*
MAR 31 2015

Clerk of Court

United States of America)
 v.)
 Carlos A. Lozano YOB:1972 Mexico) Case No. **M-15-486-M**
)
)
)
Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 03/30/2015 in the county of Starr in the Southern District of Texas, the defendant violated Title 21 U. S. C. § 841 (A) (1) and 846, an offense described as follows:

INTENTIONALLY AND KNOWINGLY POSSESS WITH INTENT TO DISTRIBUTE ONE THOUSAND EIGHT HUNDRED THIRTY SIX (1,836) KILOGRAMS OF MARIJUANA, A SCHEDULE I CONTROLLED SUBSTANCE. INTENTIONALLY AND KNOWINGLY CONSPIRE TO POSSESS ONE THOUSAND EIGHT HUNDRED (1,836) KILOGRAMS OF MARIJUANA, A SCHEDULE I CONTROLLED SUBSTANCE.

This criminal complaint is based on these facts:

SEE ATTACHED REPORT

Continued on the attached sheet.

Approved
JL

JL
 Complainant's signature
JORGE LOPEZ TEXAS DPS SPECIAL AGENT
 Printed name and title

Sworn to before me and signed in my presence.

Date: 03/31/2015

City and state: MCALLEN, TEXAS

Dorina Ramos
 Judge's signature
DORINA RAMOS US MAGISTRATE
 Printed name and title

ATTACHMENT II TO A091, CRIMINAL COMPLAINT, MARCH 30TH²⁰¹⁵

DPS CASE X3D4-15-0029

On 03/30/2015, Texas Department of Public Safety CID Agent Jorge Lopez responded to Starr County to assistance on a narcotic seizure by Texas Department of Public Safety Commercial Motor Vehicle Sgt. Luis Guzman. On the same date (3/30/15), Sgt. Guzman stopped a 2005 Freightliner pulling a 1998 Wilson flatbed trailer driven by LOZANO, CARLOS on U.S. 83 west of Roma, Starr County for Commercial Vehicle Inspection. A pressure washer skid was strapped onto the 1998 Wilson flatbed trailer. Sgt. Guzman stated that LOZANO advised him he had left McAllen this morning (03/30/2015) and was headed to Carrizo Springs to drop off oil field equipment at oil field site. Sgt. Guzman noticed that LOZANO was nervous and his story about traveling from McAllen to Carrizo Springs did not seem plausible. While checking LOZANO'S log book Sgt. Guzman noticed that LOZANO had not logged anything since the 3rd of March 2015. Also, Sgt. Lozano advised that LOZANO presented written and computerized bill of ladings for the pressure washer skid on the flatbed trailer. Sgt. Guzman noticed both bill of ladings had numerous misspelled words. Sgt. Guzman then called Dynamic Industries in Carrizo Springs and asked if they were waiting to receive the pressure washer skid as noted on the bill of lading. Sgt. Guzman was advised that Dynamic Industries does not use pressure washer skids at location and they were not waiting to receive one at location. Sgt. Guzman also noticed that the pressure washer skid had been recently painted. Believing that contraband was possibly being hidden inside the pressure washer skid Sgt. Guzman asked for consent to search the truck, trailer, and load on trailer. LOZANO gave verbal consent to search the truck, trailer, and load on trailer.

Sgt. Guzman, while searching the pressure washer skid, noticed after-market welds on the top, sides, and under the skid. Sgt. Guzman stated he could smell the odor of fresh paint on the skid. Entry was gained into the skid from the top with a drill and marijuana was observed on the drill bit when removed. LOZANO was then placed under arrest and advised of his Miranda Warning.

The Freightliner/Wilson trailer was transported to the Weslaco DPS Office where a total of one hundred seventy four (174) bundles containing a green leafy substance believed to be marijuana were recovered from within the pressure washer skid.

Agent Jorge Lopez along with Agent Daniel Pena interviewed LOZANO at the DPS Regional Office in Weslaco. LOZANO, who ~~waived~~ his rights, stated that he was recruited by a subject by name of PABLO LNU (Last Name Unknown) to transport a large load of marijuana from the Rio Grande Valley to Houston Texas. LOZANO was instructed to drive to Carrizo Sprigs from McAllen to ~~by~~ pass the larger US Border Patrol Checkpoints and blend in with commercial oil field traffic. Then continue to Houston Texas where the marijuana was to be offloaded at an unknown location. LOZANO stated that he would be paid between forty to fifty thousand dollars to transport the marijuana load.